Single Bench 4

(1)

CF 1002

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

W.P (S). NO. 5176 /2006

PETITIONER

Rameshwar Singh Chandan, Aged about 48 years, S/o Shri Goverdhan Singh Chandan at present working as a Assistant Teacher, Primary School Kotalbhatti, Block Development, Narharpur, District Uttar Bastar, Kanker, (CG)

P.R. No. S 218/06
Presented by N P Kosta
dated 18/9/06

VERSUS

RESPONDENTS

1. State of Chhattisgarh through the Secretary School Education Department, D.K.S. Bhawan Raipur.(CG)
2. Director, Public Education Department, Secretariat Raipur, District – Raipur. (CG)
3. District Education Officer, Uttar Bastar, Kanker, District-Uttar Bastar Kanker (CG)

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18/9/06

PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF APPROPRIATE WRITS OF MANDAMUS AND CERTIORARY AND FOR OTHER SUITABLE WRITS AND DIRECTIONS :-

HIGH COURT OF CHHATTISGARH AT BILASPUR

SINGLE BENCH : HON'BLE MR. SATISH K. AGNIHOTRI, J.

WRIT PETITION (S.) NO.5176 OF 2006

Petitioner : Rameshwar Singh Chandan

versus

Respondents : State of Chhattisgarh and others

Present : Mr. Vishnu Koshta, counsel for the petitioner.
Mrs. Anju Ahuja, Deputy Government Advocate for the respondents/State.

ORDER
(Passed on 3rd of October, 2006)

Learned counsel appearing for the petitioner submits that the petitioner was working as Assistant Teacher in Primary School, Kotalbhatti, Block Development Narharpur, District Uttar Bastar Kanker. As per the Rationalisation of Teachers Policy dated 1-6-2006 (Annexure P-1), the petitioner, by order dated 29-7-2006 (Annexure P-2), has been transferred to Primary School, P.V. 110-111, Block Development Koilibeda, District Uttar Bastar Kanker.

2. Being aggrieved, the petitioner filed an appeal as prescribed under Clause 7 of the Rationalisation of Teachers Policy dated 1-6-2006 (Annexure P-1) before Director, Public Instructions, Government of Chhattisgarh on 10-8-2006 (Annexure P-3). The same is pending consideration.

3. This petition is misconceived as writ cannot be filed pending statutory appeal before the appellate authority.

4. Thus, this petition is dismissed as being devoid of merit. However, in the facts and circumstances of the case, it is expected that the appellate authority may do the needful in accordance with law expeditiously. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Gopal